

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 137

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2007, IDAHO CODE, TO
2 REMOVE LANGUAGE RELATING TO CERTAIN URBAN RENEWAL AGENCY POWERS AND TO
3 MAKE TECHNICAL CORRECTIONS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 50-2007, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 50-2007. POWERS. Every urban renewal agency shall have all the powers
9 necessary or convenient to carry out and effectuate the purposes and pro-
10 visions of this act, including the following powers in addition to others
11 herein granted:

12 (a) ~~to~~ undertake and carry out urban renewal projects and related ac-
13 tivities within its area of operation; and to make and execute contracts and
14 other instruments necessary or convenient to the exercise of its powers un-
15 der this act; and to disseminate slum clearance and urban renewal informa-
16 tion;

17 (b) ~~to~~ provide or to arrange or contract for the furnishing or repair
18 by any person or agency, public or private, of services, privileges, works,
19 streets, roads, public utilities or other facilities for or in connec-
20 tion with an urban renewal project; to install, construct, and reconstruct
21 streets, utilities, parks, playgrounds, off-street parking facilities,
22 public facilities, other buildings or public improvements; and any improve-
23 ments necessary or incidental to a redevelopment project; and to agree to
24 any conditions that it may deem reasonable and appropriate attached to fed-
25 eral financial assistance and imposed pursuant to federal law relating to
26 the determination of prevailing salaries or wages or compliance with labor
27 standards, in the undertaking or carrying out of an urban renewal project and
28 related activities, and to include in any contract let in connection with
29 such a project and related activities, provisions to fulfill such of said
30 conditions as it may deem reasonable and appropriate;

31 (c) ~~within its area of operation, to enter into any building or prop-~~
32 ~~erty in any urban renewal area in order to make inspections, surveys, ap-~~
33 ~~praisals, soundings or test borings, and to obtain, upon sufficient cause~~
34 ~~and after a hearing on the matter, an order for this purpose from a court of~~
35 ~~competent jurisdiction in the event entry is denied or resisted, to acquire~~
36 ~~by purchase, lease, option, gift, grant, bequest, devise, eminent domain or~~
37 ~~otherwise, any real property (or personal property for its administrative~~
38 ~~purposes,) together with any improvements thereon; to hold, improve, reno-~~
39 ~~vate, rehabilitate, clear or prepare for redevelopment any such property or~~
40 ~~buildings; to mortgage, pledge, hypothecate or otherwise encumber or dis-~~
41 ~~pose of any real property; to insure or provide for the insurance of any real~~
42 ~~or personal property or operations of the municipality against any risks or~~

1 hazards, including the power to pay premiums on any such insurance; and to
2 enter into any contracts necessary to effectuate the purposes of this act:
3 Provided however, that no statutory provision with respect to the acquisi-
4 tion, clearance or disposition of property by public bodies shall restrict
5 a municipality or other public body exercising powers hereunder in the exer-
6 cise of such functions with respect to an urban renewal project and related
7 activities, unless the legislature shall specifically so state;

8 (d) ~~w~~With the approval of the local governing body, (1) prior to ap-
9 proval of an urban renewal plan, or approval of any modifications of the
10 plan, to acquire real property in an urban renewal area, demolish and remove
11 any structures on the property, and pay all costs related to the acquisition,
12 demolition, or removal, including any administrative or relocation ex-
13 penses; and (2) to assume the responsibility to bear any loss that may arise
14 as the result of the exercise of authority under this subsection in the event
15 that the real property is not made part of the urban renewal project;

16 (e) ~~t~~To invest any urban renewal funds held in reserves or sinking
17 funds or any such funds not required for immediate disbursement, in property
18 or securities in which savings banks may legally invest funds subject to
19 their control; to redeem such bonds as have been issued pursuant to section
20 50-2012, Idaho Code, at the redemption price established therein or to pur-
21 chase such bonds at less than redemption price, all such bonds so redeemed or
22 purchased to be canceled;

23 (f) ~~t~~To borrow money and to apply for and accept advances, loans,
24 grants, contributions and any other form of financial assistance from the
25 federal government, the state, county, or other public body, or from any
26 sources, public or private, for the purposes of this act, and to give such
27 security as may be required and to enter into and carry out contracts or
28 agreements in connection therewith; and to include in any contract for
29 financial assistance with the federal government for or with respect to
30 an urban renewal project and related activities such conditions imposed
31 pursuant to federal laws as the municipality may deem reasonable and appro-
32 priate and which are not inconsistent with the purposes of this act;

33 (g) ~~w~~Within its area of operation, to make or have made all surveys
34 and plans necessary to the carrying out of the purposes of this act and to
35 contract with any person, public or private, in making and carrying out such
36 plans and to adopt or approve, modify and amend such plans, which plans may
37 include, but are not limited to: (1) plans for carrying out a program of vol-
38 untary compulsory repair and rehabilitation of buildings and improvements,
39 (2) plans for the enforcement of state and local laws, codes and regulations
40 relating to the use of land and the use and occupancy of buildings and im-
41 provements and to the compulsory repair, rehabilitation, demolition, or
42 removal of buildings and improvements, and (3) appraisals, title searches,
43 surveys, studies, and other plans and work necessary to prepare for the un-
44 dertaking of urban renewal projects and related activities; and to develop,
45 test, and report methods and techniques, and carry out demonstrations and
46 other activities, for the prevention and the elimination of slums and urban
47 blight and developing and demonstrating new or improved means of providing
48 housing for families and persons of low income and to apply for, accept and
49 utilize grants of funds from the federal government for such purposes;

1 (h) ~~¶~~To prepare plans for and assist in the relocation of persons,
2 ~~(including individuals, families, business concerns, nonprofit organiza-~~
3 ~~tions and others)~~ displaced from an urban renewal area, and notwithstanding
4 any statute of this state to make relocation payments to or with respect to
5 such persons for which reimbursement or compensation is not otherwise made,
6 including the making of such payments financed by the federal government;

7 (i) ~~¶~~To exercise all or any part or combination of powers herein
8 granted;

9 (j) ~~¶~~In addition to its powers under subsection (b) of this section,
10 an agency may construct foundations, platforms, and other like structural
11 forms necessary for the provision or utilization of air rights sites for
12 buildings and to be used for residential, commercial, industrial, and other
13 uses contemplated by the urban renewal plan, and to provide utilities to the
14 development site; and

15 (k) ~~¶~~To use, lend or invest funds obtained from the federal government
16 for the purposes of this act if allowable under federal laws or regulations.